

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

-v-

JUSTIN RIVERA,

Defendants.

19 CR 131 (PAE)

ORDER


PAUL A. ENGELMAYER, District Judge:

On March 20, 2021, defendant Justin Rivera filed a motion under *Brady v. Maryland*, 373 U.S. 83 (1963), to compel the Government to disclose, inter alia, materials related to a particular non-testifying witness to the extent that witness had been interviewed and made statements concerning Rivera or the charges against him. Dkt. 726. In response, the Government stated that it would take a broad view of any statements that could be helpful to Rivera and identify them to the defense by April 2, 2021, with the remaining statements by the witness to be produced to defense counsel three weeks before trial. Dkt. 729. On April 2, 2021, the Government provided defense counsel with a letter identifying certain statements by the witness regarding Rivera. Consistent with the Court's directive at the most recent pretrial conference, the Government also provided the complete notes of the witness's interviews to the Court for its review, to determine whether additional statements warranted immediate disclosure to the defense under *Brady*.

The Court has carefully reviewed the statements provided by the Government, guided by the very helpful letter from defense counsel identifying propositions and areas of information of potential assistance to the defense at trial. The Court took a broad view in reviewing these materials. Nonetheless, the Court did not identify any statements, among those that have not

already been disclosed to the defense, that might constitute *Brady* material. The Court thus does not require the Government to expedite its production of the statements to defense counsel.

SO ORDERED.

  
\_\_\_\_\_  
PAUL A. ENGELMAYER  
United States District Judge

Dated: April 8, 2021  
New York, New York